



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shingo ITOH

Group Art Unit: 2853

Application No.: 10/797,131

Examiner: L. MARTIN

Filed: March 11, 2004

Docket No.: 119052

For: DOUBLE-SIDED RECORD APPARATUS AND DOUBLE-SIDED RECORD
METHOD

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 6, 2006 Office Action, reconsideration of the rejections is respectfully requested at least in light of the following remarks.

Applicant gratefully acknowledges the Examiner's indication that claims 15-21, 34 and 35 would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. However, Applicant submits that the pending claims are allowable for at least the following reasons.

The Office Action rejects claims 1-4, 6, 12, 13, 24-33, 36 and 37 under 35 U.S.C. §103(a) over Japanese Patent Application Publication No. 2000-141627 to Katayama in view of U.S. Patent No. 6,307,981 to Kamei et al. (hereinafter Kamei). This rejection is respectfully traversed.

Although the rejection states that the rejection over Katayama and Kamei does not include claim 5, Applicant notes that the rejection substantively rejects claim 5. Accordingly, Applicant will interpret the rejection to include a rejection of claim 5.

Both Katayama and Kamei, individually or combined, fail to disclose a comparison unit configured to compare the number of ejected ink droplets counted by the counting with a predetermined value, as recited in claims 1, 24, 25, 27, 30, 32, 36 and 37. The Office Action admits Katayama fails to disclose at least a comparison unit configured to compare the number of rejected ink droplets counted by the counting unit with a predetermined value. However, the Office Action alleges Kamei satisfies the deficiencies of Katayama. Particularly, the Office Action alleges that Kamei discloses a comparison unit equivalent to the claimed comparison unit.

Kamei discloses a configuration to determine error by comparing values of two counters 36 and 37, which counts the pixels within the same image data. Importantly, there is no comparison of a counter value with a predetermined value, but only a comparison of the count values of the counters 36 and 37.

Further, the image forming device of Kamei is an electrophotographic-type device (laser printer) and not an ink jet type device, as is disclosed by Katayama. Accordingly, performing double-sided printing with the toner of a laser printer would cause considerably less damage to a recording medium than that which would likely occur by during double-sided printing with an ink jet type device. Because the image forming device of Kamei is directed to laser printing, one of ordinary skill in the art would not look to the configuration of Kamei to correct the shortcomings of an ink jet device as described by Katayama. Thus, one having ordinary skill in the art would have no motivation to modify the teachings of Katayama with the teachings of Kamei.

Therefore, it is respectfully submitted that claims 1, 24, 25, 27, 30, 32, 36 and 37 are patentable Katayama and Kamei. Further, it is respectfully submitted that claims 2-6, 12, 13, 26, 28, 29, 31 and 33 are patentable at least in view of the patentability of claims 1, 24, 25, 27, 30, 32, 36 and 37, from which they depend, as well as for the additional features they recite. Accordingly, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claims 7 and 8 under 35 U.S.C. §103(a) over Katayama in view of Kamei and further in view of U.S. Patent Application Publication No. 2003/0038870 to Shimada (hereinafter Shimada); rejects claims 9 and 11 over Katayama in view of Kamei and Shimada and further in view of U.S. Patent Application Publication No. 2002/0145640 to Anderson et al. (hereinafter Anderson); claim 10 is rejected over Katayama in view of Kamei and Shimada and further in view of U.S. Patent Application Publication No. 2001/0019345 to Endo; rejects claims 14 and 29 under 35 U.S.C. §103(a) over Katayama in view of Kamei and further in view of U.S. Patent No. 5,742,301 to Ikeda; rejects claim 22 under 35 U.S.C. §103(a) over Katayama in view of Kamei and further in view U.S. Patent No. 6,853,948 to Jewell; and rejects claim 23 over Katayama in view of Kamei and further in view of U.S. Patent Application Publication No. 2003/0160852 to Pickup.

These rejections are premised upon the presumption that Katayama and Kamei disclose all of the features of claims 1 and 27. Because, as discussed above, Katayama and Kamei do not disclose all of the features of claims 1 and 27, the rejections are improper. Applicant respectfully requests withdrawal of the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-37 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jesse O. Collier
Registration No. 53,839

JAO:LXF/tjx

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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